REMARKS

Upon entry of this Amendment, which cancels no claims, claims 1-10 remain pending.

Claims 2, 4 and 6-9 were rejected under 35 U.S.C. 102(b) as being anticipated by Cannon et al., U.S. Patent Application Publication, US 2003/0119581 A1.

Claims 1, 3, 5 and 10 were rejected under 35 U.S.C. 103 as being obvious over Cannon et al. (US 2003/0119581 A1) in view of Sharpless, U.S. Patent Publication, US 2003/0100361.

OATH/DECLARATION

A new oath/declaration in compliance with 37 CFR 1.67(a), identifying the citizenship of the inventor is being submitted herewith.

SPECIFICATION

A new Abstract of the disclosure with no more than 150 words is herewith being submitted in compliance with MPEP Sec. 608.01(b).

The informalities in the disclosures have been corrected. All of the amended paragraphs were so amended to correct minor typographical errors.

35 U.S.C. §102 REJECTION

The Examiner has rejected claims 2, 4, and 6-9 under 35 U.S.C. § 102 as being anticipated by Cannon et al.

Claim 2: It is respectfully suggested that "triggering a secondary game indication cycle" as recited in claim 2 is not disclosed by Cannon. First, this secondary game indication cycle is a cycle. As explained on page 13, lines 9-10 and page 9, lines 2-6 of the specification, once a gaming device is qualified, this cycle is triggered to run for a predetermined duration (e.g., 30 seconds). Second, it is during this predetermined duration after the first gaming device is qualified that additional gaming devices can become qualified for the secondary type game (*page 8, lines 26-27*). As further explained on page 8, lines 32-34 of the specification, by presenting a limited time period to qualify after the first gaming device is qualified, a "rush" is created among players to continue game play,

thus significantly increasing player excitement, as well the number of game play participants as they "rush" to join game play before the limited available window of opportunity provided by the secondary bonus indication cycle is gone.

In contrast, no secondary game indication cycle can be found in Cannon, much less one that is triggered. The Examiner has cited paragraph 0050 of Cannon as disclosing a secondary game indication cycle. However, based upon the discussion above, it is now readily apparent that a message (e.g. a touch screen message of paragraph 0050) sent to inform a qualified player that he can participate in the bonus game is not a secondary game indication cycle.

Paragraph 0051 of Cannon also pointed to by the Examiner mentions various criteria used to activate the bonus game none of which disclose the secondary game indication cycle. For example, the "fixed or random time interval (activate the bonus game one-half hour after the conclusion of the last bonus game or every hour on the half hour)" is not a secondary game indication cycle that can be triggered as described above. Moreover, unlike the present invention, in which the secondary bonus indication cycle is triggered after the first gaming device is qualified, the fixed or random time interval of Cannon runs after conclusion of the last bonus game or every hour on the half hour, creating a disincentive for increased player participation as players realize that if the ongoing bonus game is missed, they can simply join the subsequent one scheduled for the next time interval.

Claim 4: In claim 4, "providing a secondary game indication cycle" is not anticipated by Cannon for the reasons discussed above.

Claims 6-9: Are allowable as being dependent on an independent base claim 4, which is allowable for the above referenced reasons. It is also believed that the cited portions of Cannon do not anticipate claims 6-9 as recited. Believing the 35 U.S.C. § 102 rejections to be overcome, Applicant respectfully requests that they be withdrawn and that claims 2, 4 and 6-9 be allowed.

35 U.S.C. § 103 REJECTION

The Examiner has also rejected claims 1, 3, 5 and 10 as being obvious over Cannon in view of Sharpless.

Cannon

Claim 1: It is respectfully suggested that Cannon fails to disclose the feature "wherein the additional gaming devices are qualified during a designated duration after said first gaming device is qualified or during a predetermined number of primary game plays after qualification of said first gaming device." As discussed with reference to claim 2, the fixed or random time interval as well as the predetermined number of base games of Cannon run after conclusion of the last bonus game or at fixed intervals and not after the first gaming device is qualified as in claim 1. Since it has been shown that Cannon does not anticipate claim 1, the combination of Cannon and Sharpless cannot render claim 1 obvious.

Sharpless

Claim 1: It is furthermore believed that paragraph 0053 of Sharpless cited by the Examiner does not disclose that for each additional gaming device that is qualified, the payout award of the secondary game is increased by a value (X, for example). In contrast, paragraph 0053 merely discloses that a higher percentage of total payback can be distributed to players by reducing the frequency of the bonus game.

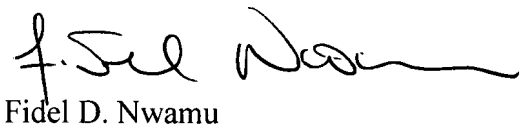
Claims 3 and 5: Dependent claims 3 & 5 are allowable as being dependent on their respective independent base claims 2 and 4, which have been shown to be allowable for reasons discussed above. Further, it is believed that their recited features are not disclosed by the cited portions of Sharpless.

Claim 10: is allowable over Cannon in view of Sharpless for reasons discussed with reference to claim 2 above. Believing the 35. U.S.C. § 103 rejections to be overcome, Applicant respectfully requests that they be withdrawn and that claims 1, 3, 5 and 10 be allowed.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 510-343-5500.

Respectfully submitted,



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